



DOCKET NO.: V0139.70060US01/ *fw*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martha K. Newell
Serial No.: 10/802,440
Confirmation No.: 4035
Filed: March 17, 2004
For: METHODS AND PRODUCTS RELATED TO METABOLIC INTERACTIONS
IN DISEASE

Examiner: Not Yet Assigned
Art Unit: 1644

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 day of August, 2005.

Helen C. Lockhart
Helen C. Lockhart

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement
- PTO Form 1449 with cited references
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Martha K. Newell, Applicant

By:

Helen C. Lockhart
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Docket No.: V0139.70060US01
Date: August 16, 2005
xNDDx



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Helen C. Lockhart

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
V0139.70028US00	09/277,575	March 27, 1999	Martha K. Newell
V0139.70059US00	09/599,760	June 22, 2000	Martha K. Newell

The Applicant would like to bring to the Examiner's attention the enclosed search report or other communication from a corresponding International Application.

<u>Docket No.</u>	<u>Serial No.</u>	<u>Mailing Date</u>	<u>Type of Communication(s)</u>
V0139.70028WO00	PCT/US99/06874	12 March 1999	International Search Report
V0139.70028WO00	PCT/US99/06874	22 February 2000	Written Opinion
V0139.70059WO00	PCT/US00/17245	18 December 2000	International Search Report
V0139.70059WO00	PCT/US00/17245	25 September 2001	International Preliminary Examination Report

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

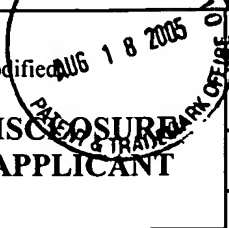
Respectfully submitted,
Martha K. Newell, Applicant

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		GROUP ART UNIT: 1644		EXAMINER: Not Yet Assigned	
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	4,724,234		Cone, Jr.	02-09-1988
	A2	4,935,450		Cone, Jr.	06-19-1990
	A3	5,556,754		Singer et al.	09-17-1996
	A4	5,585,363		Scanlon et al.	12-17-1996
	A5	6,113,946		Cavallaro et al.	10-17-2000
	A6	2003-0150022	A1	Martha et al.	08-07-2003
	A7	2004/00054291	A1	Rogers et al.	01-08-2004
	A8	2005/0074882	A1	Newell	04-07-2005
	A9	2005/0158333	A1	Newell	07-02-2005

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	*B1	WO	98/02579	A1	Emory University	01-22-1998	
	*B2	WO	98/31396	A1	Duke University et al.	07-23-1998	
	*B3	WO	98/45313	A1	Amylin Pharmaceuticals, Inc.	10-15-1998	
	*B4	WO	98/45438	A1	Beth Israel Deaconess Medical Center	10-15-1998	
	B5	WO	99/53953		University of Vermont	10/28/1999	
	*B6	WO	00/47617	A1	Lexicon Genetics, Inc.	08-17-2000	
	B7	WO	00/78941	A2	University of Vermont and State Agricultural College	12-28-2000	
	B5	WO	03/031643	A2	Newell et al.	04/17/2003	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

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	*C6	BAGGETTO, Deviant energetic metabolism of glycolytic cancer cells. <i>Biochimie</i> . 1992 Nov;74(11):959-74.	
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	*C19	CHISARI et al., Molecular pathogenesis of hepatocellular carcinoma in hepatitis B virus transgenic mice. <i>Cell</i> . 1989 Dec 22;59(6):1145-56.	
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	C27	CROOKE, S. <u>Antisense Research and Application</u> , (Ed. by S. Crooke), pp: 1-50, Springer-Verlag, 1999	
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	*C45	HATEFI et al., Nicotinamide nucleotide transhydrogenase: a model for utilization of substrate binding energy for proton translocation. FASEB J. 1996 Mar;10(4):444-52.	
	*C46	HAYNES et al., Helper-inducer T-lymphocytes mediate diabetes in EMC-infected BALB/c ByJ mice. Diabetes. 1987 Jul;36(7):877-81.	
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	*C67	MACKANESS et al., The J. Burns Amberson LECTURE The induction and expression of cell-mediated hypersensitivity in the lung. Am Rev Respir Dis. 1971 Dec;104(6):813-28.	
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	*C87	SATOH et al., Changes in mitochondrial membrane potential during oxidative stress-induced apoptosis in PC12 cells. J Neurosci Res. 1997 Nov 1;50(3):413-20.	
	*C88	SCAFFIDI et al., Two CD95 (APO-1/Fas) signaling pathways. EMBO J. 1998 Mar 16;17(6):1675-87.	
	*C89	SCHATTNER et al., CD40 ligation induces Apo-1/Fas expression on human B lymphocytes and facilitates apoptosis through the Apo-1/Fas pathway. J Exp Med. 1995 Nov 1;182(5):1557-65.	
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	*C92	SCIORATI et al., Autocrine nitric oxide modulates CD95-induced apoptosis in gammadelta T lymphocytes. J Biol Chem. 1997 Sep 12;272(37):23211-5.	
	*C93	SKERRETT et al., New transplant method evades immune attack. Science. 1990 Sep 14;249(4974):1248.	
	*C94	SNELL et al., Some recollections of Peter Gorer and his work on this fiftieth anniversary of his discovery of H-2. Immunogenetics. 1986;24(6):339-40.	
	*C95	SNELL et al., The Nobel Lectures in Immunology. Lecture for the Nobel Prize for Physiology or Medicine, 1980: Studies in histocompatibility. Scand J Immunol. 1992 Oct;36(4):513-26.	
	C96	STAYTON, P. et al. "Molecular engineering of proteins and polymers for targeting and intracellular delivery of therapeutics," <i>Journal of Controlled Releases</i> , Vol. 65, pp: 203-220, 2000	
	*C97	STREET et al., Interferon-gamma enhances susceptibility of cervical cancer cells to lysis by tumor-specific cytotoxic T cells. Gynecol Oncol. 1997 May;65(2):265-72.	
	*C98	SUMMERFIELD et al., Lymphocyte apoptosis during classical swine fever: implication of activation-induced cell death. J Virol. 1998 Mar;72(3):1853-61.	
	*C99	SUZUKI et al., Maximal proliferation of cytotoxic T lymphocytes requires reverse signaling through Fas ligand. J Exp Med. 1998 Jan 5;187(1):123-8.	
	*C100	TANEJA et al., Expression of the H2-E molecule mediates protection to collagen-induced arthritis in HLA-DQ8 transgenic mice: role of cytokines. Int Immunol. 1997 Aug;9(8):1213-9.	
	*C101	TERUYA et al., Pancreatic islet function in nondiabetic and diabetic BB rats. Diabetes. 1993 Sep;42(9):1310-7.	
	*C102	TIAN et al., Attenuation of inducible Th2 immunity with autoimmune disease progression. J Immunol. 1998 Nov 15;161(10):5399-403.	
	*C103	TRUMAN et al., HLA class II-mediated death is induced via Fas/Fas ligand interactions in human splenic B lymphocytes. Blood. 1997 Mar 15;89(6):1996-2007.	
	*C104	TRUMAN et al., HLA class II signaling mediates cellular activation and programmed cell death. Exp Hematol. 1996 Oct;24(12):1409-15.	
	*C105	VIDAL-PUIG et al., Uncoupling expectations. Nat Genet. 2000 Dec;26(4):387-8.	
	*C106	WALLACE et al., Mitochondrial diseases in man and mouse. Science. 1999 Mar 5;283(5407):1482-8.	
	*C107	WILKENS et al., ATP synthase's second stalk comes into focus. Nature. 1998 May 7;393(6680):29.	

EXAMINER:	DATE CONSIDERED:
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FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 10/802,440		ATTY. DOCKET NO.: V0139.70060US01		
				FILING DATE: March 17, 2004		CONFIRMATION NO.: 4035		
				APPLICANT: Martha K. Newell				
				GROUP ART UNIT: 1644		EXAMINER: Not Yet Assigned		
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	*C108	YAFFE et al., The machinery of mitochondrial inheritance and behavior. Science. 1999 Mar 5;283(5407):1493-7.		
	*C109	ZHANG et al., LAT: the ZAP-70 tyrosine kinase substrate that links T cell receptor to cellular activation. Cell. 1998 Jan 9;92(1):83-92.		
	*C110	ZINKERNAGEL et al., The discovery of MHC restriction. Immunol Today. 1997 Jan;18(1):14-7.		

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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/711,022, filed November 9, 2000 or Serial No. 09/277,575, filed March 27, 1999, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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